

**OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION**

ILLINOIS COMMERCE COMMISSION

ORIGINAL

COMMONWEALTH EDISON COMPANY)

Petition for expedited approval of)
implementation of a market-based)
alternative tariff, to become on or)
before May 1, 2000, pursuant of Article IX)
and Section 16-112 of the Public Utilities Act)

Docket No. 00-0259

CHIEF CLERK'S OFFICE

JUL 7 3 25 PM '00

ILLINOIS
COMMERCE COMMISSION

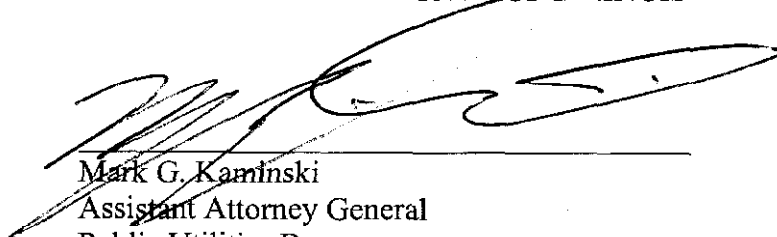
NOTICE OF FILING OF NOTICE OF APPEAL

TO: All Parties on the Attached Service List

TAKE NOTICE that on the 6th day of July, 2000, the Attached Notice of Appeal will be filed with the Clerk of the Illinois Commerce Commission, 527 E. Capitol Ave, Springfield, Illinois, 62701, on behalf of the People of the State of Illinois. A copy of the Notice of Appeal is hereby served upon you, and each of you, pursuant to the provisions of Section 10-201 of the Illinois Public Utilities Act (220 ILCS 5/10-201).

Respectfully submitted,

THE PEOPLE OF THE STATE OF ILLINOIS


Mark G. Kaminski
Assistant Attorney General
Public Utilities Bureau
100 W. Randolph Street, 11th Fl.
Chicago, Illinois 60601

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON COMPANY)	
)	
Petition for expedited approval of)	
implementation of a market-based)	
alternative tariff, to become on or)	Docket No. 00-0259
before May 1, 2000, pursuant of Article IX)	
and Section 16-112 of the Public Utilities Act)	

NOTICE OF APPEAL

TO: Donna Caton
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62794

PLEASE TAKE NOTICE that pursuant to Section 10-201 of the Illinois Public Utilities Act, 220 ILCS 5/10-201, the People of the State of Illinois, by James E. Ryan, Attorney General of the State of Illinois, have this day appealed the April 27, 2000 Order of the Illinois Commerce Commission in Docket Number 00-0259 and the June 9, 2000 Order of the Illinois Commerce Commission denying the People of the State of Illinois' Application for Rehearing dated May 26, 2000, to the Appellate Court of Illinois, Fourth District.


ILLINOIS
COMMERCE COMMISSION
Jul 7 3 25 PM '00
CHIEF CLERK'S OFFICE

A Copy of the Petition for Review filed with the Illinois Appellate Court, First District is attached as Exhibit A.

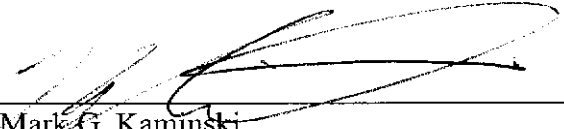
Respectfully submitted,

THE PEOPLE OF THE STATE OF ILLINOIS
James E. Ryan, Attorney General

By:


Janice A. Dale
Chief, Public Utilities Bureau

By:


Mark G. Kaminski
Assistant Attorney General

Janice A. Dale
Public Utilities Bureau
100 W. Randolph Street, 11th Fl.
Chicago, Illinois 60601
(312) 814-3736

Mark G. Kaminski
Public Utilities Bureau
100 W. Randolph Street, 11th Fl.
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(312) 814-8326

Dated: July 6, 2000

STATE OF ILLINOIS :
: SS
COUNTY OF COOK :

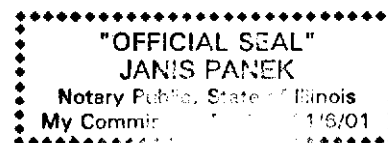
PROOF OF SERVICE

I, Mark Kaminski, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for the People of the State of Illinois, do hereby certify that I did on the 6th of July, 2000 personally serve a copy of the foregoing Notice of Appeal on the Illinois Commerce Commission by leaving a copy of the same with the Clerk of the Illinois Commerce Commission at the Springfield, Illinois office of the Commission and on the parties in interest by depositing same in the United States Mail in Chicago, Illinois, 60601, addressed as shown on the attached service list, with postage fully prepaid thereon.


Mark Kaminski
Assistant Attorney General
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100 W. Randolph St., 11th Fl.
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(312) 814-8326
mkaminski@atg.state.il.us

SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 6th day of July,
2000.

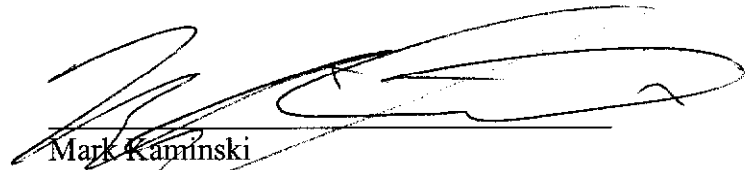

NOTARY PUBLIC



STATE OF ILLINOIS :
: SS
COUNTY OF COOK :

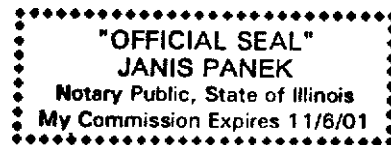
PROOF OF SERVICE

I, Mark Kaminski, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for the People of the State of Illinois, do hereby certify that I did on the 6th of July, 2000 personally serve a copy of the foregoing Notice of Appeal and Notice of Filing of Notice of Appeal with the Clerk of the fourth District Appellate Court and on the Illinois Commerce Commission by filing a copy of same with the Clerk of the Illinois Commerce Commission at the Springfield, Illinois office of the Commission and on the parties in interest by depositing same in the United States Mail in Chicago, Illinois, 60601, addressed as shown on the attached service list, with postage fully prepaid thereon.



Mark Kaminski
Assistant Attorney General
Public Utilities Bureau
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Chicago, IL 60601
(312) 814-8326
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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 6th day of July,
2000.


NOTARY PUBLIC

SERVICE LIST
ICC Docket No. 00-0259

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Chicago, Illinois 60603

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Illinois Manufacturers' Association
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Chicago, Illinois 60606

Larry Jones
Hearing Examiner
527 East Capitol Avenue
Springfield, Illinois 62701

**IN THE ILLINOIS APPELLATE COURT
FOR THE FOURTH APPELLATE DISTRICT**

THE PEOPLE OF THE STATE OF ILLINOIS)	
Petitioner,)	
)	
v.)	Petition for Review of Order of
)	The Illinois Commerce Commission
COMMONWEALTH EDISON COMPANY, THE)	in Docket No. 00-0259, dated
ILLINOIS COMMERCE COMMISSION, et al.)	April 27, 2000
Respondents)	

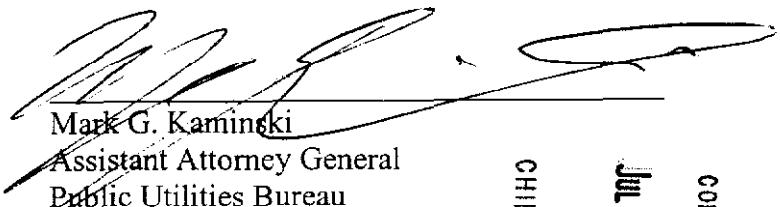
NOTICE OF FILING OF PETITION FOR REVIEW

TO: All Parties on the Attached Service List

BE NOTIFIED THAT pursuant to Supreme Court Rule 335, the attached Petition for Review of the People of the State of Illinois will be filed in the Appellate Court of Illinois, Fourth Appellate District, on the 6th day of July, 2000 with respect to the Order entered by the Illinois Commerce Commission on April 27, 2000 in Docket No. 00-0259.

Respectfully submitted,

THE PEOPLE OF THE STATE OF ILLINOIS


Mark G. Kaminski
Assistant Attorney General
Public Utilities Bureau
100 W. Randolph Street, 11th Fl.
Chicago, Illinois 60601

CHIEF CLERK'S OFFICE

JUL 7 3 25 PM '00

ILLINOIS
COMMERCE COMMISSION

**IN THE ILLINOIS APPELLATE COURT
FOR THE FOURTH APPELLATE DISTRICT**

THE PEOPLE OF THE STATE OF ILLINOIS)	
Petitioner,)	
)	
v.)	Petition for Review of Order of
)	The Illinois Commerce Commission
COMMONWEALTH EDISON COMPANY, THE)	in Docket No. 00-0259, dated
ILLINOIS COMMERCE COMMISSION, et al. ¹)	April 27, 2000
Respondents)	

PETITION FOR REVIEW

The People of the State of Illinois, ex. rel. James E. Ryan, Attorney General, pursuant to Section 10-201 of the Illinois Public Utilities Act, 220 ILCS 5/10-201 and Supreme Court Rule 335, petitions the Appellate Court, Fourth District, for review of the order of the Illinois Commerce Commission ("Commission") entered April 27, 2000 in

Commonwealth Edison Company

Petition for expedited approval of implementation of a market-based
alternative tariff, to become effective on or before May 1, 2000, pursuant of Article IX
and Section 16-112 of the Public Utilities Act
ICC Docket No. 00-0259

Pursuant to Section 10-113 of the Public Utilities Act, 220 ILCS 5/10-113, the People filed a timely Application for Rehearing with the Illinois Commerce Commission, which was denied by the Commission in an Order served on the People on June 9, 2000. The People also seek further review of this ruling.

The Order was issued in violation of state laws, among them Sections 9-201, 10-101 and 10-103 of the Public Utilities Act, Sections 10-25 and 10-50(c) of the Illinois Administrative

¹ Identification of other parties shown on Attachment A.

JUL 7 3 25 PM '00
ILLINOIS
COMMERCE COMMISSION
CHIEF CLERK'S OFFICE

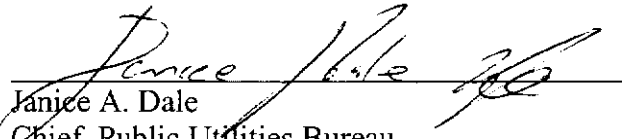
Procedure Act, as well as the Commission's procedural rules and furthermore is not supported by substantial evidence. The Petition for Review is filed for the purpose of having this Court determine the lawfulness of the Order's procedures, findings and conclusions. The People request that the Order be reversed or remanded with respect to certain of those erroneous procedures, findings and conclusions challenged in our Application for Rehearing before the Commission and that this Court order such other relief as it deems just and proper.

A copy of the Notice of Appeal, which the People filed with the Chief Clerk of the Illinois Commerce Commission pursuant to Section 10-201 of the Illinois Public Utilities Act, 220 ILCS 5/10-201, is attached hereto as Exhibit A.

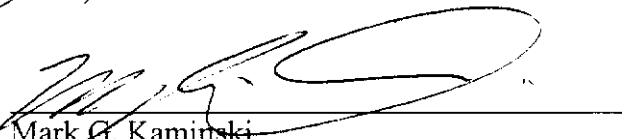
Respectfully submitted,

THE PEOPLE OF THE STATE OF ILLINOIS
James E. Ryan, Attorney General

By:


Janice A. Dale
Chief, Public Utilities Bureau

By:


Mark G. Kaminski
Assistant Attorney General

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Mark G. Kaminski
Public Utilities Bureau
100 W. Randolph Street, 11th Fl.
Chicago, Illinois 60601
(312) 814-8326

Dated: July 6, 2000

ATTACHMENT A

ENRON ENERGY SERVICES;
PEOPLES ENERGY SERVICES, INC.;
NICOR ENERGY L.L.C.;
NEW ENERGY MIDWEST L.L.C.;
MIDWEST INDEPENDENT POWER PRODUCERS COORDINATION GROUP;
CENTRAL ILLINOIS LIGHT COMPANY;
ILLINOIS POWER COMPANY;
SEIBEN ENERGY ASSOCIATES;
CMS MARKETING SERVICES AND TRADING;
MID-AMERICAN ENERGY COMPANY;
CENTRAL ILLINOIS PUBLIC SERVICE COMPANY;
UNION ELECTRIC COMPANY;
THE PEOPLE OF COOK COUNTY;
UNICOM ENERGY, INC.;
A. FINKL & SONS;
ABBOTT LABORATORIES, INC.;
CATERPILLAR INC.;
DAIMLER CHRYSLER CORPORATION;
FORD MOTOR COMPANY, INC.;
MONSANTO COMPANY;
MOTOROLA, INC.;
NABISCO BRANDS, INC.;

NORTHWESTERN STEEL & WIRE COMPANY;

OWEN-ILLINOIS, INC.;

R.R. DONNELLEY & SONS;

VISKASE CORPORATION;

CITY OF CHICAGO; and

CITIZENS UTILITY BOARD


STATE OF ILLINOIS :
COUNTY OF COOK : SS

PROOF OF SERVICE

I, Mark Kaminski, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for the People of the State of Illinois, do hereby certify that I did on the 6th of July, 2000 personally serve a copy of the foregoing "Petition for Review" on the Illinois Commerce Commission by filing a copy of same with the Clerk of the Illinois Commerce Commission at the Springfield, Illinois office of the Commission and on the parties in interest by depositing same in the United States Mail in Chicago, Illinois, 60601, addressed as shown on the attached service list, with postage fully prepaid thereon.


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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 6th day of July,
2000.


NOTARY PUBLIC

